

Message Text

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C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 06840

LIMDIS

DEPT PASS TO WHITE HOUSE FOR DR. PRESS

GENEVA FOR AMBASSADOR RICHARDSON AND WINSTON

E.O. 11652: GDS
TAGS: PLOS, TGEN, TOCY, UR, US
SUBJECT: LAW OF THE SEA - MARINE SCIENTIFIC RESEARCH AND
RENEWAL OF US-USSR WORLD OCEANS AGREEMENT (06.00)

REFS: (A) STATE 60220, (B) MOSCOW 6219, (B) MOSCOW 2673

1. SUMMARY. ON BASIS OF FURTHER INFORMATION RECEIVED,
EMBASSY RECOMMENDS THAT WORLD OCEANS AGREEMENT NOT BE RE-
NEWED EVEN FOR LIMITED PERIOD OF TWO YEARS AS PREVIOUSLY
SUGGESTED UNLESS SOVIETS CHANGE SUBSTANTIALLY THEIR UN-
HELPFUL POSITION ON THE LOS MARINE RESEARCH ISSUE TO MAKE
IT CONSISTENT WITH THAT OF THE US. SOVIETS HAVE SHRUGGED
OFF RECENT EMBASSY DEMARCHES ON LOS-MSR AS NOT REPRESENT-
ING TRUE CONCERNS OF US OCEANOGRAPHIC COMMUNITY. WE
THEREFORE SUGGEST LETTER FROM SCIENCE ADVISER PRESS TO
SCST CHAIRMAN KIRILLIN UNDERLINING SERIOUSNESS TO US OF MS
R ISSUE AND ITS IMPORTANCE IN AGREEMENT RENEWAL DECISION.
WE CONTINUE TO BELIEVE SOVIETS WILL AGREE TO CARRY FORWARD
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SALVAGEABLE PROJECTS UNDER OTHER AEGIS SHOULD AGREEMENT
EXPIRE. END SUMMARY.

2. EMBASSY APPRECIATES STATUS REPORT ON WORLD OCEANS
AGREEMENT ASSESSMENT (REF A) AND OPPORTUNITY FOR
FURTHER COMMENT ON RENEWAL DECISION. WE HAVE RECEIVED AND
REVIEWED NOAA OCEANS AGREEMENT ISSUE PAPER AND NOAA RE-

PORT TO NFC FOR LAST HALF OF 1977. ON THE BASIS OF THIS ADDITIONAL INFORMATION WE ARE EVEN MORE CONCERNED ABOUT SERIOUS IMBALANCE OF BENEFITS IN THE AGREEMENT AND MORE DUBIOUS AS TO THE RATIONALE FOR RENEWAL, EVEN FOR A PERIOD OF TWO YEARS. IT SEEMS INEXPLICABLE TO US, FOR EXAMPLE, THAT SOVIETS WERE ALLOWED ACCESS TO ADVANCED TECHNOLOGY ON GLOMAR CHALLENGER NOTWITHSTANDING SOVIET ANNUAL MILLION-DOLLAR CONTRIBUTION TO THE DEEP-SEA DRILLING PROJECT. THIS CONTRASTS MOST UNFAVORABLE WITH SOVIETS ADAMANT REFUSAL TO ALLOW US ACCESS TO THEIR NUCLEAR ICE BREAKERS UNDER THE TRANSPORTATION AGREEMENT, THE STATED REASON BEING THAT US HAS NO SIMILAR VESSELS.

3. MOREOVER, THE SOVIETS CONTINUE THEIR UNHELPFUL STANCE REGARDING THE LOS-MARINE SCIENTIFIC RESEARCH (MSR) ISSUE. IT NOW APPEARS TO US THAT THE ONLY POSSIBLE JUSTIFICATION FOR RENEWAL OF THE AGREEMENT, EVEN FOR A LIMITED PERIOD, WOULD BE A SUBSTANTIAL ALTERATION OF THE SOVIET POSITION SUPPORTING A "PRIOR CONSENT" MSR REGIME TO MAKE IT CONSISTENT WITH THE US STANCE AT THE CURRENT LOS MEETING II GENEVA. THE IMPORTANCE OF THE MSR AND ITS RELATION TO THE OCEANS BILATERAL HAS NOT BEEN SUFFICIENTLY STRESSED TO THE SOVIETS. THE AMBASSADOR'S RECENT DEMARCHE TO ARBATOV RESULTED IN A POLITE TURN-DOWN (REFTEL B) AND SCICOUNS' DISCUSSIONS ON THIS ISSUE WITH SOVIET EXECUTIVE SECRETARY CONFIDENTIAL

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METAL'NIKOV HAVE BEEN EQUALLY FRUITLESS. IN MEETING LAST WEEK WITH SOVIET ACADEMY FOREIGN RELATIONS DIRECTOR KULAKOO HE INSINUATED THAT MSR WAS AN ISSUE THAT ONLY THE EMBASSY WAS PUSHING AND THAT IT WAS NOT OF SIGNIFICANT CONCERN TO THE US OCEANOGRAPHIC COMMUNITY. WE SUGGEST THAT A MESSAGE ALONG THE FOLLOWING LINES FROM SCIENCE ADVISER PRESS TO ACADEMICIAN KIRILLIN WOULD BE USEFUL IN BRINGING HOME TO THE SOVIETS THE REAL IMPORTANCE THE US ATTACHES TO REVISION OF THE SOVIET MSR POSITION. "DEAR ACADEMICIAN KIRILLIN - AS YOU ARE AWARE, THE U.S. IS NOW CONSIDERING THE RENEWAL OF THE AGREEMENT BETWEEN OUR COUNTRY ON COOPERATION IN WORLD OCEANS STUDIES WHICH EXPIRES JUNE 18, 1978. IN OUR DELIBERATIONS ON THIS QUESTION, WE HAVE TAKEN NOTE THAT THE SOVIET UNION CONTINUES TO SUPPORT THE RESTRICTIVE "PRIOR CONSENT" REGIME FOR MSR IN THE LAW OF THE SEA CONFERENCE. THE POSITION OF THE UNITED STATES GOVERNMENT, AND OF THE U.S. OCEANOGRAPHIC COMMUNITY, IS THAT THE "PRIOR CONSENT" REGIME WILL BE INIMICAL TO THE PROGRESS OF MARINE SCIENTIFIC RESEARCH THE WORLD OVER. WE UNDERSTAND THAT THE SOVIET OCEANOGRAPHIC COMMUNITY SHARES SIMILAR CONCERNS. THIS, HOWEVER, APPARENTLY HAS NOT ALTERED THE POSITION OF THE GOVERNMENT

OF THE SOVIET UNION ON THIS HIGHLY IMPORTANT ISSUE.
THE U.S. REPRESENTATIVE TO THE LOS CONFERENCE, AMBASSADOR
ELLIOTT RICHARDSON, HAS RECENTLY EMPHASIZED THAT THE LOS
CONFERENCE NOW TAKING PLACE IN GENEVA MAY WELL BE THE
LAST CHANCE WE HAVE FOR ARRIVING AT A LAW OF THE SEA
AGREEMENT THAT WILL BE ACCEPTABLE AND BE OF BENEFIT TO ALL
NATIONS. I STRONGLY URGE THAT YOU CONSULT WITH YOUR
GOVERNMENT TO INSURE THAT THE SOVIET UNION AT THIS CONFER-

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C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 06840

LIMDIS
ENCE ADOPTS A POSITION ON MARINE SCIENTIFIC RESEARCH CON-
SISTENT WITH THE IDEALS OF FREE AND UNRESTRICTED ACCESS
FOR LEGITIMATE MARINE SCIENTIFIC RESEARCH IN THE WORLD
OCEAN, AND THEREFORE CONSONANT WITH THE SPIRIT OF THE
AGREEMENT BETWEEN OUR TWO COUNTRIES ON WORLD OCEANS STUDIES
SINCERELY, FRANK PRESS."

4. WE ARE NOT PARTICULARLY SANGUINE ABOUT THE LEVERAGE
THE US CAN EXERT THROUGH THE BILATERAL ON CHANGING THE
SOVIET LOS-MSR POSITION, HOWEVER, WE SEE NO HARM IN
TRYING, SINCE A NON-RENEWAL OF THE OCEANS BILATERAL WILL
BE MORE DISADVANTAGEOUS FOR THE SOVIETS THAN THE US.
MOREOVER, IT WILL BRING HOME TO THE SOVIETS IN A VERY
CLEAR AND CONCRETE WAY THAT THE US HAS NO INTENTION OF
PLAYING THE SOVIET GAME OF PIECE-MEAL BILATERAL CO-
OPERATION WHEN IT IS TO THE ADVANTAGE OF THE SOVIETS,
WHILE IGNORING FLAGRANTLY IRRESPONSIBLE SOVIET ACTIONS ON
MULTILATERAL MATTERS. SHOULD THE SOVIETS DECIDE TO SUP-
PORT THE US ON THE MSR ISSUE, WE SUGGEST A TWO-YEAR
EXTENSION OF THE AGREEMENT WITH GREATLY INCREASED EMPHASIS
ON IMPROVED ADMINISTRATION AND BETTER BALANCE OF BENEFITS

AS OUTLINED REF C.

5. SHOULD THE BILATERAL BE ALLOWED TO EXPIRE, WE BELIEVE
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THE SOVIET INTEREST IN CONTINUATION OF PROJECTS ALREADY
UNDERWAY IS SO STRONG THAT THEY WOULD BE WILLING TO
PROLONG SOME OF THE MORE BENEFICIAL ACTIVITIES UNDER OTHER
AGREEMENTS. IT SHOULD ALSO BE NOTED THAT ARTICLE 8 PARAGRAPH
2 OF THE CURRENT BILATERAL NOTES THAT TERMINATION SHALL
NOT AFFECT THE VALIDITY OF IMPLEMENTING AGREEMENTS CON-
CLUDED UNDER THAT BILATERAL. SOME PROJECTS SUCH AS PO-
LYMODE COULD BE SUSTAINED ON THE BASIS OF AN AGENCY-TO-
AGENCY RELATIONSHIP, SUCH AS NOAA-ACADEMY OF SCIENCES. THE
DEEP SEA DRILLING PROJECT, WHICH ACTUALLY PRECEDED THE
ESTABLISHMENT OF THE BILATERAL, COULD BE TRANSFERRED TO ITS
ORIGINAL BASE IN THE INTERGOVERNMENTAL OCEAN COMMISSION.
OTHER PROJECTS, MARINE BIOLOGY OR NSF-SPONSORED ACTIVITIES
FOR EXAMPLE, MIGHT BE MOVED UNDER THE UMBRELLA OF THE
S&T BILATERAL. IT SHOULD BE NOTED THAT THE SOVIET EXECUT-
IVE SECRETARY, A.P. METAL'NIKOV, IS ORGANIZATIONALLY UNDER
THE STATE COMMITTEE FOR SCIENCE AND TECHNOLOGY, WHICH
ADMINISTERS THE SCIENCE AND TECHNOLOGY AGREEMENT (01.00).
WHILE THE SOVIETS MAY NOT PARTICULARLY LIKE IT, WE THUS
SEE NO REASON WHY THEY WILL NOT BE ABLE TO CONTINUE
WORTHWHILE BILATERAL PROJECTS ONCE THE AGREEMENT EXPIRES.
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